Report of the Law Commission of India on Urban Litigation

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI HANSRAJ BHARDWAJ): Sir, I beg to lay on the Table a copy (in English and Hindi) of the One Hundred Twenty-ninth Report of the Law Commission of India on Urban Litigation—Mediation as Alternative to Adjudication. [Placed in Library. *See* No. LT-7302/89]

Report and Accounts (1987-88) of the Betwa River Board Jhansi and related papers.

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES (SHRIMATI KRISHNA SAHI): Sir, I beg to lay on the Table a copy each (in English and Hindi) of the following papers:—

(i) Tenth Annual Report and Accounts of the Betwa River Board, Jhansi, for the year 1987-88, together with the Audit Report on the Accounts, under sub section (1) of section 15 of the Betwa River Board Act. 1976.

(ii) Statement by Government accepting the Report and giving reasons for the delay in laying the paper mentioned at (i) above.

[Placed in Library. *See* No. LT-7303 / 89 for (i) and (ii)]

I. Report and Accounts (1987-88) of the Basic Chemicals, Pharmaceuticals and Cosmetics Export Promotion Council, Bombay and related papers.

II. Report and Accounts (1987-88) of the Chemicals and Allied Products Export Promotion Council, Calcutta and related papers.

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI P R. DAS MUNSHI): Sir, I beg to lay on the Table a copy each (in English and Hindi) of the following papers:—

I. (a) Twenty-fifth Annual Report and Accounts of the Basic Chemicals, Pharmaceuticals and Cosmetics Export Promotion Council, Bombay, for the year 1987-88, together with the Auditors' Report on the Accounts.

(b) Review by Government on the working of the Council.

[Placed in Library. *See* No. LT-7305 / 89 for (a) and (b)]

II. (a) Thirtieth Annual Report and Accounts of the Chemicals and Allied Products Export Promotion Council, Calcutta, for the year 1987-88, together with the Auditors' Report on the Accounts.

(b) Review by Government on the working of the Council.

[Placed in Library. *See* No. LT-7304/89 for (a) and (b)]

Notifications of the Ministry of Home Affairs

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Sir, I beg to lay on the Table, under section 148 of the Delhi Police Act, 1978, a copy each (in English and Hindi) of the following Notifications of the Ministry of Home Affairs:—

(i) No. F. 5/46/84-Home(P) Estt. dated the 16th May, 1988, publishing the Delhi Police (Appointment and Recruitment) (Amendment) Rules, 1988.

(ii) No. F. 5/132/81-Home (P) Estt. dated the 22nd July, 1988 publishing the Delhi Police (Punishment and Appeal) (Amendment) Rules, 1988.

[Placed in Library. *See* No. LT-7370 / 89 for (i) and (ii)]

REPORT AND MINUTES OF THE COMMITTEE ON PUBLIC UNDERTAKINGS

SHRI A. G. KULKARNI (Maharashtra): Sir, I beg to lay on the Table a copy (in English and Hindi) of the Fifty-first Report of the Committee on Public Undertakings on Air India—Fare aspect and Minutes of the sittings of the Committee relating thereto.

[**The Deputy Chairman** in the chair]

SHORT DURATION DISCUSSION

Re. Settlement arrived at between the Government of India and The Union Carbide Corporation regarding payment of compensation to the victims of the Bhopal gas tragedy— *(Contd).*

SHRI BAHARUL ISLAM (Assam): Madam Deputy Chairman, yesterday observations were made against the settlement in the Union Carbide case in the Supreme Court and also some suspicions were raised against the conduct of the Bench of the Supreme Court and also insinuations were made against the Union of India.

To my mind, the settlement that took place was absolutely normal from a lawyer's point of view and from a Judge's point of view; there was nothing abnormal. If suspicions are raised, they can be raised. Three serious questions were raised by Mr. Vajpayee, Mr Gurupadaswamy and Mr. Sukomal sen. I will try to meet them, but I give the warning that if a person does some act which appears to be suspicious, his friend never asks for an explanation, but if an explanation is given, his foe will never accept his explanation Even then, I will never think that my three honourable friends—whose names I have mentioned—are our foes. They are our friends and I will try to convince them.

At the outset I would like to say that a case of this magnitude possibly has not taken place not only in India but in any other part of the world. A couple of similar cases, of much lesser magnitude, took place in the USA and those two cases also ended in a compromise But this is such a big case in which a huge number of persons preferred claims for compensation for loss of human lives, for injury to human lives, deaths of animals, injury caused to animals, property, business and the like. In this particular case the number of claimants was a staggering figure of six lakhs. Six lakhs of human lives were affected. About 2,500 or so were dead, The rest were injured, some of them permanently disabled for life, and some not so seriously injured. So, this was a case of a great magnitude. When such a case is filed, the claimants never expect that the suit will be pursued and that in regular course of time a decree will be obtained. This is a near impossibility. I will tell you why. Six lakh claimants means six lakh cases. Six lakh claimants will have to prove their claims. Nearly 3,000 persons died. About 30,000 to 40,000 persons were injured in this case. When about 3,000 persons died, their heirs will come, and they will have to say that their predecessors died. The other party is not going to accept the death. They will say, "Certainly not. There was no such person at all existing in Bhopal." You will have to prove it. Somebody will say that such and such a man was not in Bhopal at that time. You have to prove it. So, for proving six lakhs of cases the claimants will have to bring not less than three lakhs into three, that